

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

This document relates to:

Case No. 1:20-op-45060

MDL No. 2804

Hon. Dan Aaron Polster

**MOTION FOR LEAVE TO FILE SETTLED DEFENDANTS' MOTION TO DISMISS  
CLAIMS FILED BY NON-PARTICIPATING KENTUCKY SUBDIVISION  
AS BARRED BY STATUTE**

In compliance with Case Management Order One ¶ 6(g) (Dkt. No. 232), Settled Defendants<sup>1</sup> move the Court for leave to file their Motion To Dismiss Claims Filed By Non-Participating Kentucky Subdivision As Barred By Statute (the “Motion”). The Motion seeks dismissal of claims asserted by Plaintiff Taylor County Hospital District Health Facilities Corporation pursuant to releases of such claims executed by the Attorney General pursuant to statutory authority. A copy of the Motion is attached hereto as **Exhibit A**.

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<sup>1</sup> The Settled Defendants are Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen, Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (collectively, “Janssen”), AmerisourceBergen Corporation, McKesson Corporation, Cardinal Health, Inc., and H. D. Smith, LLC (collectively, “Distributors”), as well as any other Released Entities, as that term is defined in the Settlement Agreements, that have been named as defendants in the Amended Complaint. *See* Exhibit A n. 1.

Dated: August 18, 2023

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that, on August 18, 2023, the Motion for Leave to File Settling Distributors' Motion To Dismiss Claims Filed By Non-Participating Kentucky Subdivision As Barred By Statute was served on all counsel of record via the CM/ECF system.

/s/ Robert A. Nicholas

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